

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

WARREN SKILLERN,

Plaintiff,

v. 6:10-cv-035

MEDICAL CONTRACTORS, Nurse  
HOWER, Nurse FNU,

Defendants.

**ORDER**

Plaintiff Warren Skillern has filed a Motion for Reconsideration of this Court's Order denying him *in forma pauperis* ("IFP") status on appeal. Doc. 30.

The Court can say little more on this issue than it has already said. After moving this Court to dismiss his own Complaint (Doc. 5), Plaintiff filed a Notice of Appeal of the Court's order granting the dismissal (Doc. 6). *See* Doc. 7. The Court denied Plaintiff IFP status on appeal. *See* Doc. 9.

Plaintiff then filed a Notice of Appeal (Doc. 24) of the Court's Order denying him IFP status on appeal (Doc. 9). The Court construed this notice as a motion for IFP status on appeal, and denied it on the basis that "the rules do not permit what amounts to an appeal of an IFP denial." Doc. 27; *see* Fed. R. App. P. 24(a)(5) (advising a party who is unsatisfied with the district court's denial of IFP status on appeal to file a motion to proceed IFP with the appellate court within thirty days of the district court's denial).

Plaintiff has now filed a Motion for Reconsideration (Doc. 30) of this Court's

Order denying IFP status on the appeal of the denial of the Complaint (Doc. 9)—the same Order from which Plaintiff previously attempted to appeal (Doc. 24).

Plaintiff is no more entitled to a review of this Court's denial of IFP status on appeal by moving the Court to reconsider the decision than he was when he appealed the decision. The relief sought is the same, and is equally unavailable under this Court's previous explanations of the applicable law. *See* Doc. 27.

As this Court has previously advised, Plaintiff's only recourse is to request IFP status from the Eleventh Circuit Court of Appeals.<sup>1</sup>

Plaintiff's Motion for Reconsideration is, therefore, ***DENIED***.

This 16th day of August 2010.



BRANT DENTILL, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

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<sup>1</sup> Note, however, that any chance of Plaintiff obtaining IFP status at the appellate level has recently expired. The Eleventh Circuit dismissed Plaintiff's appeal on August 9, 2010. *See* Doc. 34 (dismissing appeal "for want of prosecution because the appellant Warren R. Skillern has failed to pay the filing and docketing fees to the district court within the time fixed by the rules").